

1 **UNITED STATES DISTRICT COURT**
2 **DISTRICT OF NEVADA**

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4 United Association of Journeymen and
5 Apprentices of the Plumbing & Pipe Fitting
6 Industry of the United States and Canada,
7 Local 525, Las Vegas, Nevada AFL-CIO,

8 Plaintiff

9 v.

10 Bombard Mechanical, LLC,

11 Defendant

Case No. 2:19-cv-00431-JAD-CWH

**Order Granting Motion
to Compel Arbitration**

[ECF No. 1]

12 The United Association of Journeymen and Apprentices of the Plumbing & Pipe Fitting
13 Industry of the United States and Canada, Local 525, Las Vegas, Nevada AFL-CIO filed this
14 action to compel Bombard Mechanical, LLC to arbitrate as required by Article IX of the Master
15 Labor Agreement.¹ By stipulation, Bombard's deadline to oppose that motion was extended to
16 May 2, 2019.² That deadline passed two weeks ago, and Bombard filed no response and did not
17 seek to further extend its deadline to do so. Local Rule 7-2(d) provides that "[t]he failure of an
18 opposing party to file points and authorities in response to any motion, except a motion under
19 Fed. R. Civ. P. 56 or a motion for attorney's fees, constitutes a consent to the granting of the
20 motion." I apply this rule and construe Bombard's failure to oppose the Union's motion to
21 compel as its consent to grant it. Accordingly,

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23 ¹ ECF No. 1.

² ECF No. 8.

1 IT IS HEREBY ORDERED that the motion to compel **arbitration [ECF No. 1]** is
2 **GRANTED. Bombard Mechanical, LLC must arbitrate the dispute** outlined in the petition
3 [ECF No. 1] under the terms of Article IX of the Master Labor Agreement [ECF No. 1-1].

4 And because this case was initiated for the purpose of compelling arbitration and that
5 issue has now been resolved, IT IS FURTHER ORDERED that **the Clerk of Court is directed**
6 **to ENTER JUDGMENT accordingly and CLOSE THIS CASE.**

7 Dated: May 19, 2019

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10 U.S. District Judge Jennifer A. Dorsey
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